

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 657-2170, FAX: (916) 657-1485, Web: <http://www.waterrights.ca.gov>

APPLICATION TO APPROPRIATE WATER

Amended
APPLICATION No. 30603B
(Leave Blank)

1. APPLICANT

Stockton East Water District
(Name of applicant)
Kevin Kauffman, General Manager

(209) 948-0333
(Telephone - between 8 a.m. and 5 p.m.)

P.O. Box 5157 Stockton CA 95205-0157
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is
tributary to San Joaquin River

Stanislaus River

(If unnamed, state that it is an unnamed stream, spring, etc.)

b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒
If yes, during what months is it usually dry? From _____ to _____
What alternate sources are available to your project should a portion of your requested direct diversion season
be excluded because of a dry stream or nonavailability of water? See attached

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Calaveras, Stanislaus & San Joaquin

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
<u>See attached</u>	$\frac{1}{4}$ of $\frac{1}{4}$				
	$\frac{1}{4}$ of $\frac{1}{4}$				
	$\frac{1}{4}$ of $\frac{1}{4}$				

c. Does applicant own the land at the point of diversion? YES ☒ NO ☐

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps
have been taken to obtain right of access: See attached

4. PURPOSE of USE, AMOUNT and SEASON

- a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Industrial							
Municipal	100 cfs						
Irrigation	450 cfs	252,000	11/1	6/30	155,000	11/1	6/30
Groundwater Recharge	200 cfs				251,000		
	750 cfs						
		252,000	11/1	6/30	155,000		

- b. Total combined amount taken by direct and storage during any one year will be 407,000* acre-feet.

*The total amount sought under App. 30603A and Appl. 30603B shall not

5. JUSTIFICATION of AMOUNT exceed 407,000 Af annually.

- a. IRRIGATION: Maximum area to be irrigated in any one year is 100,000 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-Feet PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
Orchard	30,000	various	25,000	3/1	10/1
Row crops	30,000	various	25,000	3/1	10/1

- b. DOMESTIC: Number of residences to be served is _____. Separately owned? YES ☐ NO ☐
 Total number of people to be served is _____. Estimated daily use per person is _____
 Total area of domestic lawns and gardens is _____ square feet. (Gallons per day)
 Incidental domestic uses are _____
 (Dust control area, number and kind of domestic animals, etc.)

- c. STOCKWATERING: Kind of stock _____ Maximum number _____
 Describe type of operation: _____

- d. RECREATIONAL: Type of recreation: Fishing ☐ Swimming ☐ Boating ☐ Other ☐

- e. MUNICIPAL: (Estimated projected use)

POPULATION		MAXIMUM MONTH		ANNUAL USE		
5-Years periods until use is completed		Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
PERIOD	POP.					
Present	300,000				0.2	60,000
2020	470,000				0.2	94,000

Month of maximum use during year is August. Month of minimum use during year is February.

APP (1-00) For storage in either New Melones or underground storage, not limited to a maximum of 155,000 in New Melones
 Combined storage under A30603A + 30603B will not exceed 359,000 afa
 Combined direct diversion under A30603A + 30603B will not exceed 159,900 afa

f. HEAT CONTROL: The total area to be heat protected is _____ net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The heat protection season will begin about _____ (Date) and end about _____ (Date)

g. FROST PROTECTION: The total area to be frost protected is _____ net acres.
 Type of crop protected is _____
 Rate at which water is applied to use is _____ gpm per acre.
 The frost protection season will begin about _____ (Date) and end about _____ (Date)

h. INDUSTRIAL: Type of industry is _____
 Basis for determination of amount of water needed is _____

i. MINING: The name of the claim is _____ Patented ☐ Unpatented ☐
 The nature of the mine is _____ Mineral to be mined is _____
 Type of milling or processing is _____
 After use, the water will be discharged into _____
 in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____, T _____, R _____, _____ B. & M.
 (40-acre subdivision) (Name of stream)

j. POWER: The total fall to be utilized is _____ feet. The maximum amount of water to be used through the penstock is _____ cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is _____. Electrical capacity is _____ kilowatts at _____ % efficiency.
 (Cubic feet per second x fall \div 8.8) (Ap x 0.746 + efficiency)
 After use, the water will be discharged into _____
 in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____, T _____, R _____, _____ B. & M. FERC No. _____
 (40-acre subdivision) (Name of stream)

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES ☐ NO ☐ If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: Groundwater Recharge. Basis for determination of amount of water needed is Farmington Groundwater Recharge Seasonal Habitat Study
by Army Corps of Engineers, August 2001

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES ☐ NO ☒ Is land in joint YES ☐ NO ☒
 (All joint owners should include their names as applicants and sign the application.) ownership?

If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. See attached

b. USE IS WITHIN (40-ACRE SUBDIVISION)	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
$\frac{1}{4}$ of $\frac{1}{4}$		See Attached				
$\frac{1}{4}$ of $\frac{1}{4}$		See Change Petition		7-17-06		
$\frac{1}{4}$ of $\frac{1}{4}$		+ Map		July 2006		
$\frac{1}{4}$ of $\frac{1}{4}$						
$\frac{1}{4}$ of $\frac{1}{4}$						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of Goodwin Dam on the Stanislaus River

(Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from _____ Pump discharge rate _____ Horsepower _____
(Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
tunnel	rock	14 ft. diam.	18,000	20		850 cfs
canal	earthen	14" wide 11" deep	45,000	5		550 cfs
creeks	natural	vary	85,000	180		550 cfs

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if an	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
New Melones	--See Applications	14858A,	14858B, et al.				
Farmington	Dam: Existing						
	44	Earth		18	4,100	52,000	26.5
Proposed	60	Earth		16	8,320	160,000	44.5

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
Farmington	Dam: 2 - 72x72	1	65	0
New Melones:	--See Applications	14858 A & B et al.		

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 550 cfs. Diversion to offstream storage will be made by: ☐ Pumping ☒ Gravity

8. COMPLETION SCHEDULE

a. Year work will start 2006 b. Year work will be completed 2008
c. Year water will be used to the full extent intended 2009 d. If completed, year of first use _____

9. GENERAL

- a. Name of the post office most used by those living near the proposed point of diversion is Knights Ferry and Farmington
Does any part of the place of use comprise a subdivision on file with the State Department of Real Estate? YE ☒ N ☐
If yes, state name of the subdivision See Attached
If no, is subdivision of these lands contemplated? YES ☐ NO ☐
Is it planned to individually meter each service connection? YE ☐ NO ☐ If yes, when? _____
- b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: See SWRCB files
- c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☒ NO ☐ If yes, explain Stanislaus River is a navigable waterway.

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☒ NO ☐
If you, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
See Attached					

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

Jeanne Zolezzi, Attorney at Law

(Name of agent)

(209) 472-7700

(Telephone number of agent between 8 a.m. and 5 p.m.)

2291 W. March Lane, Ste. B-100

(Mailing address)

Stockton CA 95207

(City or town)

(State)

(Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated June 30 ~~19~~ 2004, at _____, California

Ms. Mr.
Miss. Mrs. See original Application 30603
(Signature of applicant)

(If there is more than one owner of the project,
please indicate their relationship.)

Ms. Mr.
Miss. Mrs. _____
(Signature of applicant)

Additional information needed for preparatin of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with \$100 minimum filing fee.

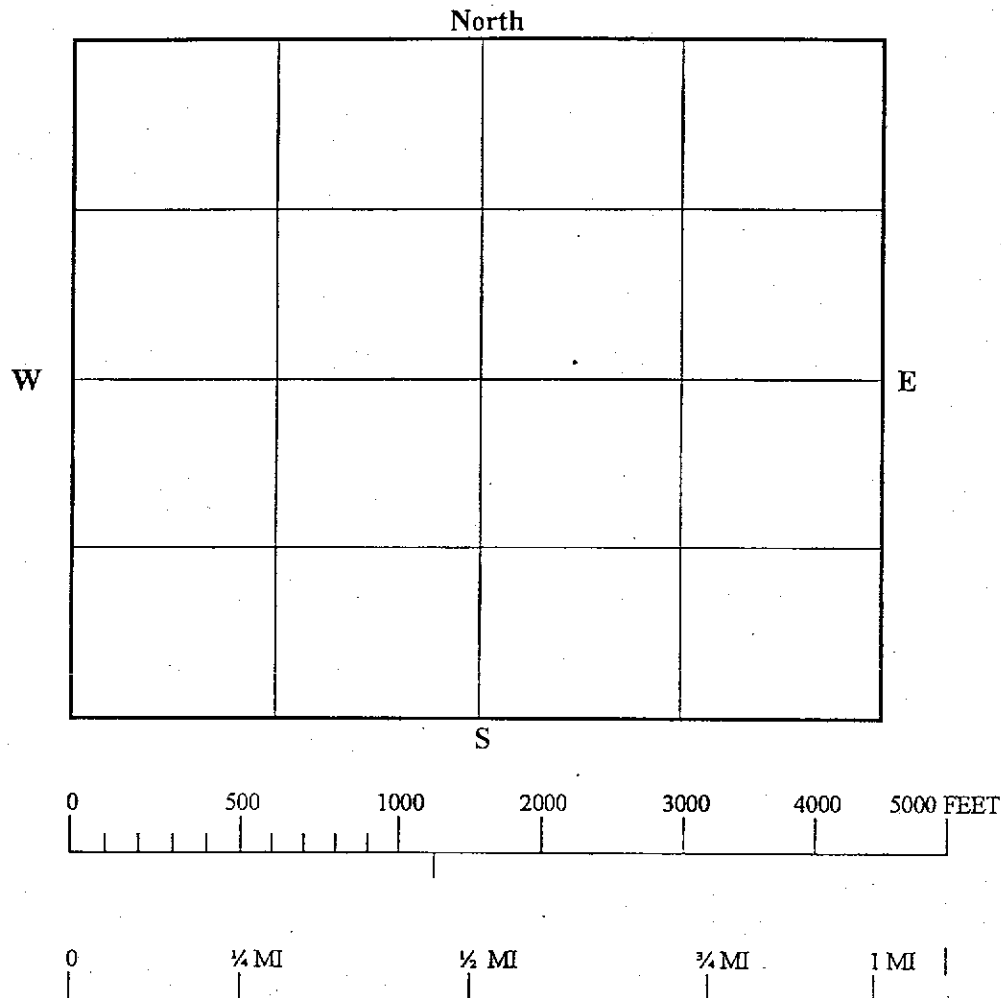
NOTE:

If this application is approved for a permit, a minimum permit fee of \$100 will be required before the permit is issued.

13. MAP

(Please complete legibly, with as much detail as possible, or attach a suitable alternative. See example in instruction booklet.)

SECTION(S) _____ TOWNSHIP _____ RANGE _____ B. & M. _____



- (1) Show location of the stream or spring, and give name.
- (2) Locate and describe the point of diversion (i.e. the point at which water is to be taken from the stream or spring) in the following way: Begin at the most convenient known corner of the public land survey, such as a section or quarter section corner (if on unsurveyed land more than two miles from a section corner, begin at a mark or some natural object or permanent monument that can be readily found and recognized) and measure directly north or south until opposite the point which it is desired to locate; then measure directly east or west to the desired point. Show these distances in figures on the map as shown in the instructions.
- (3) Show location of the main ditch or pipeline from the point of diversion.
- (4) Indicate clearly the proposed place of use of the water.

14. SUPPLEMENTAL INFORMATION

- a. If you are applying for a permit, Environmental Information form APP-ENV should be completed and attached to this form.
- b. If you are applying for underground storage, supplemental to APP (available upon request) should be completed and attached to this form.

**ATTACHMENT TO AMENDED APPLICATION NOS. 30603B
BY
STOCKTON EAST WATER DISTRICT
STANISLAUS RIVER**

2. Source

b. In the event the Applicant is unable to obtain water from the project, it will utilize limited alternative surface water sources from the Calaveras and/or Stanislaus Rivers. The Stockton East Water District (District) and its customers, both agricultural and urban, operate jointly on a conjunctive management basis. If other surface water supplies are limited or unavailable, the District's customers will rely on groundwater supplies.

3. Points of Diversion and Rediversion

b. Point of Diversion and Points of Rediversion with Coordinates

Point of Diversion

New Melones Dam: North 29°34' East, 1,075 feet from SW Corner of Section 11; being within the NW ¼ of the SW¼ of Section 11, T1N, R13E, MDB&M.

Goodwin Dam: North 10° West, 2,825 feet from SE Corner of Projected Section 10; being within the SE ¼ of the NE¼ of Projected Section 10, T1S, R12E, MDB&M.

Points of Rediversion

The points of Rediversion for this project are as set forth in the SWRCB public notice for Application 30603 dated January 1, 1999. *Refer to change permit 11-06 and map dated July 2006*

3. Points of Diversion and Rediversion

d. Landowner

New Melones Dam: Applicant does not own land at the point of diversion at New Melones Dam. Applicant will obtain necessary authorization from the U.S. Department of Interior, Bureaus of Reclamation, for the necessary storage rights.

Goodwin Dam: Applicant is 1/3 owner of the Goodwin Dam facilities along with the Oakdale Irrigation District and the South San Joaquin Irrigation District.

Farmington Dam: Applicant does not own land at the point of diversion at Farmington Dam. Applicant currently has an agreement with the U.S. Army Corps of Engineers to access the required facilities for operation of the project.

Rock Creek Diversion Facility: Applicant owns land at this point of diversion.

Additional Waterways: Except for points referenced above, applicant does not own land at any of the subsequent points of Rediversion on each of the following natural waterways, but will obtain easements as necessary for operation of the project:

Bear Creek
Calaveras River
Littlejohns Creek
Mormon Slough
Mosher Slough
Pixley Slough
Potter Creek

6. Place of Use

a. Ownership

Applicant is a public agency with the power to sell water on a retail and wholesale basis. Water will be delivered on a retail basis to agricultural lands within the Stockton East Water District (District) boundaries. In addition, the District will wholesale water by contract to the City of Stockton, California Water Service Company and service districts within San Joaquin County, which will in turn retail water to their customers.

b. Place of Use

Place of use for all purposes will be within the boundaries of San Joaquin County.

9. General

a. Subdivision

The place of use for Municipal purposes is within the City of Stockton and other developed areas in unincorporated portions of San Joaquin County.

10. Existing Water Right

Applicant claims an existing water right for the use of all of the water sought by this application pursuant to the Watershed Protection Statute, California Water Code Section 11460. This section provides:

In the construction and operation by the department of any project under the provisions of this part a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived by the department directly or indirectly of the prior right to all of the water reasonably

required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein.

This section is made applicable to the United States through Water Code Section 11128, which provides:

The limitations prescribed in Section 11460 and 11463 shall also apply to any agency of the State or Federal Government which shall undertake the construction or operation of the project, or any unit thereof, including, besides those specifically described, additional units which are consistent with and which may be constructed, maintained, and operated as a part of the project and in furtherance of the single object contemplated by this part.

Stockton East Water District is clearly an area immediately adjacent to the watershed of origin for the Stanislaus River. In addition, the District can conveniently be supplied with water from the Stanislaus River. This is evident both by the fact that the District is within the place of use for the water permits issued by the SWRCB to the United States for the New Melones project, as well as by the existence of a completed water conveyance project from the Goodwin dam to agricultural lands within the District as well as to the District's treatment plant.

As an area clearly protected by the Watershed Protection statutes, Stockton East Water District wishes to exercise its prior rights as guaranteed by that statute. The District wishes to do so through the acquisition of a water right permit to appropriate water from the Stanislaus River senior to the permits held by the United States for the New Melones project.

Stockton East Water District has a water service contract with the U.S. Bureau of Reclamation for water from the New Melones project. This contract provides for 75,000 acre-feet of water annually on an interim basis until the water is withdrawn as needed to meet new contractual commitments within the Stanislaus River Basin. The Bureau has not consistently provided water to the applicant because the water has been used in the San Joaquin River and the Bay-Delta to mitigate adverse environmental impacts created by operations of the Central Valley Project. Use of water from the New Melones Reservoir for such purposes can only be made after the needs of the watersheds of origin have been met. Consequently, despite the fact that the applicant has a contract for water service from the very source being applied for, the Bureau presently does not provide water to the applicant for the purposes specified and under the right claimed by this application.

It should be noted that the District contemplates that any water right permits granted to the district will be conditioned upon the prior right to Stanislaus River water held by the counties of origin (Tuolumne, Stanislaus and Calaveras counties) and the Stanislaus River Basin areas. The District recognizes the prior right of these areas to water from the Stanislaus River. The District's project contemplates the use of water from the Stanislaus River on a firm basis until it is needed by these prior right counties, and thereafter, on a conjunctive use basis.